

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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Derrick Riddle,

Petitioner,

vs.

ORDER

Bruce Reiser, Warden,

Respondent.

Civ. No. 10-3128 (SRN/LIB)

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Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter,

IT IS HEREBY ORDERED that: Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 [Docket No. 1] be **DENIED** and this action be **DISMISSED WITH PREJUDICE**.

DATED: August 29, 2011

s/ Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Court Judge